

PROB 12C
Rev 2/03

United States District Court

for

Southern District of Ohio

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Todd S. Morris** Case Number: **1:02CR00173-01**
3653 Julie Drive
Franklin, Ohio 45005

Name of Judicial Officer: **The Honorable S. Arthur Spiegel**
United States Senior District Judge
(Your Honor accepted jurisdiction of this case on December 19, 2002 as requested by The Honorable Joseph M. Hood, Eastern District of Kentucky, at Pikeville)

Date of Original Sentence: **June 11, 2001**

Original Offense: **Possession with Intent to Distribute a Controlled Substance (Oxycontin), in violation of Title 21, U.S.C., § 841(a)(1), a Class C felony**

Original Sentence: **21 months imprisonment; 3 years supervised release**

Special Conditions of Supervision: **The releasee shall participate in a substance abuse treatment program and shall submit to periodic drug and alcohol testing**

Type of Supervision: **Supv. Release** Date Supervision Commenced: **December 4, 2002**

Assistant U.S. Attorney: **To be assigned** Defense Attorney: **To be assigned**

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons
☐ To grant an exception to revocation without a hearing.

The probation officer finds, under penalty of perjury, that probable cause to believe the defendant has violated one or more conditions of supervision exists:

Re: Morris, Todd S.

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Petition for Warrant or Summons (PF12C)

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	The mandatory condition of supervised release to refrain from the unlawful use or possession of a controlled substance. Mr. Morris provided a urine sample on November 9, 2004 which tested positive for the presence of marijuana and morphine.
#2	The special condition of supervised release directed Mr. Morris to participate in a substance abuse program at the direction and discretion of the probation officer. He was directed to enter the inpatient treatment program at the Center for Chemical Addictions Treatment (CCAT) in Cincinnati, Ohio on November 17, 2004. However, he was unsuccessfully discharged by the program on November 23, 2004 after he left the program, without permission, the prior evening. Moreover, he provided his vehicle to another patient against medical advice.

U.S. Probation Officer Recommendation:

Mr. Morris has had a long standing addiction to both legal and illegal controlled substances. The probation department has provided appropriate treatment for him at Horizon Services in Middletown, Ohio on two occasions since his supervision term began in December 2002. More recently, he was referred to the inpatient program at CCAT in Cincinnati in November 2004 because he was having a very difficult time ceasing his use of Oxycontin. Moreover, he provided a urine sample on November 9, 2004 which tested positive for the presence of both marijuana and morphine.

The probation officer believes Mr. Morris poses a risk to himself because he did not successfully complete the inpatient component of medical detoxification treatment at CCAT. Furthermore, it is likely that he remains addicted to controlled substances. The officer believes that Morris poses a risk to the community should he chose to use controlled substances.

The term of supervision should be

- ☒ Revoked.
- ☐ Extended for years, for a total term of years.
- ☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
- ☐ The conditions of supervision should be modified as follows:

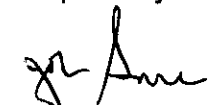
Re: Morris, Todd S.

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Petition for Warrant or Summons (PF12C)

Respectfully submitted,

by



John Shore

U.S. Probation Officer

Date: November 29, 2004

Approved,

by



John C. Cole

Supervising U.S. Probation Officer

Date: November 29, 2004

THE COURT ORDERS:

- ☒ No Action
- ☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
- ☐ The Issuance of a Summons
- ☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- ☐ Other



Signature of Judicial Officer

12/1/04
Date